

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

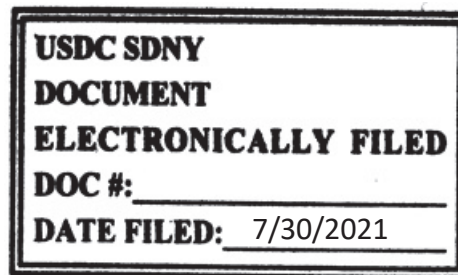
Elohim EPF USA, Inc.,

Plaintiff,

-against-

162 D & Y Corp. et al.,

Defendants.



1:19-cv-02431 (AJN) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

It is hereby Ordered that, no later than Friday, August 6, 2021, Rivkin Radler LLP shall file proof of service of their motion to withdraw and related papers (ECF Nos. 170 and 173), along with a copy of this Order, to defendants Harmony Karaoke KTV, Inc., Joseph N. Zoino, G S Global Corp. and David Rhee (hereinafter "Defendants") by first class mail to their last known addresses.¹

No later than Friday, August 20, 2021, Defendants shall file any response to the motion of their counsel to withdraw. Defendants shall provide a copy of any response to their current counsel and counsel shall file any response on ECF immediately upon receipt.

Defendants Karaoke KTV, Inc. and GS Global Corp. are hereby advised that a corporation cannot appear *pro se* in this Court. Thus, if Rivkin Radler LLP is permitted to withdraw as counsel, and no successor counsel appears, a default judgment may be entered against them. *See, e.g., McFarlane v. Harry's Nurses Registry*, No. 17-CV-06350 (PKC) (PK), 2020 WL 1643781, at *15

¹ The Court notes that co-counsel for Defendants, Soo Hyun Kim of the Law Office of Kim & Cha LLP, also has filed a motion to withdraw. (See Motion to Withdraw, ECF No. 165.) The Court will decide both motions after the deadline for Defendants to respond to the instant motion has passed.

(E.D.N.Y. Apr. 2, 2020) (corporate defendant's failure to obtain counsel is failure to "otherwise defend" under Federal Rule of Civil Procedure 55(a)). While the individual defendants, Joseph N. Zoino and David Rhee, can proceed *pro se*, they still will be required to comply with all Court orders and deadlines and failure to do so may result in the imposition of sanctions, up to and including entry of a default judgment against them.

It is further Ordered that the motion by Rivkin Radler LLP to seal Exhibits A and D to the Declaration of Gene Y. Kang that contain privileged communications (ECF No. 172) is GRANTED.

SO ORDERED.

DATED: New York, New York
July 30, 2021



STEWART D. AARON
United States Magistrate Judge